

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20054**

In the Matter of:)	
)	
Sinclair Broadcast Group, Inc.)	
Cunningham Broadcasting Corporation)	
Deerfield Media (Baltimore), Inc.)	
)	
Ultimate Parent Companies of the)	
Licensees of Digital Television Stations)	
)	
WBFF(TV), Baltimore, MD)	Facility Id. 10758
WNUV(TV), Baltimore, MD)	Facility Id. 7933
WUTB(TV), Baltimore, MD)	Facility Id. 60552

To: The Commission

**OPPOSITION TO
APPLICATION FOR REVIEW**

Deerfield Media (Baltimore), Inc. (“Deerfield”), by its counsel, and pursuant to Section 1.115(d) of the Commission’s Rules, respectfully submits this Opposition to the Application for Review (“AFR”) filed by Ihor Gawdiak (“Gawdiak”) on May 22, 2020.¹ Gawdiak requests Commission review of the Media Bureau’s Letter Decision, dated April 29, 2020, dismissing Gawdiak’s “Petition to Terminate Investigation and Require Early Filing of Renewal Applications” (the “Petition”).

The Letter Decision dismissed the Petition based upon the fact that Gawdiak was not a party to the investigation he sought to terminate, which involved a proposed transaction between

¹ Although Gawdiak’s Application for Review is dated May 22, 2019, it is assumed that the AFR was filed on May 22, 2020 in light of its reference to the Letter Decision.

Sinclair Broadcast Group, Inc., and Tribune Media Company.² The Bureau rejected Gawdiak’s attempt to inject himself into that proceeding, finding that “Mr. Gawdiak was not a party to the *Sinclair HDO* and is not a party to the subsequent investigation and has no right to participate in the investigation.”³ The Bureau also rejected Gawdiak’s demand that Deerfield submit an early license renewal application, finding that the submission of an early renewal application was not “essential to the proper conduct” of the Sinclair investigation.

In response, Gawdiak filed the AFR, presenting a veritable kitchen sink of arguments in the hope that “the Commission will uphold core legal principles by reversing” the Letter Decision.⁴ While it not clear what “core legal principles” Gawdiak believes he is raising, it is clear that the AFR’s assortment of arguments must be rejected by the Commission.

First, Gawdiak completely ignores the fact that Deerfield was not involved in the referenced investigation. Deerfield is the licensee of Station WUTB(TV), Baltimore, Maryland, and had no involvement with the Sinclair investigation that Gawdiak sought to terminate. Even if Gawdiak was somehow entitled to participate in the Sinclair investigation, that would be irrelevant to Deerfield or Station WUTB(TV). Indeed, the only commonality between Deerfield and Gawdiak is that neither was a party to the Sinclair investigation. In that regard, Gawdiak fails to demonstrate how his AFR relates in any way to Deerfield or Station WUTB(TV).

² See Letter from Barbara A. Kreisman, Chief, Video Division, Media Bureau, to David Gibber, Senior Video President and General Counsel of Sinclair, dated June 25, 2019. See also *Tribune Media Company and Sinclair Broadcast Group, Inc.*, MB Docket 17-179, Hearing Designation Order, 33 FCC Rcd 6830 (2018) (*Sinclair HDO*); *Tribune Media Company and Sinclair Broadcast Group, Inc.*, MB Docket 17-179, Order, FCC 19M-01 (ALJ 2019) (terminating hearing).

³ See Letter Decision at 2.

⁴ AFR at 6

In any event, Gawdiak's demand that the Commission direct Deerfield to submit an early license renewal application has been rendered moot with the timely filing of the WUTB(TV) license renewal application on June 1, 2020, leaving Gawdiak's AFR with neither basis nor purpose.

Because Gawdiak has failed to demonstrate that he is an "aggrieved party" pursuant to Section 1.115(a),⁵ or that his requested relief is even possible, much less justified, he lacks standing (or a basis) to seek review of the Letter Decision.

CONCLUSION

For the reasons presented herein, the Application for Review should be promptly dismissed.

Respectfully submitted,

DEERFIELD MEDIA (BALTIMORE), INC.

/s/ Scott R. Flick

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⁵ Section 1.115(a) provides that an "aggrieved party" may request review of an action taken by delegated authority. The Commission has interpreted the term "aggrieved" to require the proponent (Gawdiak) to "allege facts sufficient to: (1) show an injury; (2) demonstrate a direct causal link between the challenged action and its alleged injury; and (3) show that the injury would be prevented or redressed by the requested relief." *See Dish Network Corp.*, 33 FCC Rcd 8456, 8460 (2018) (*citing K Licensee, Inc.*, Memorandum Opinion and Order, 31 FCC Rcd 841, 842, para. 3 (2016); *accord New Jersey Public Broadcasting Authority Request to Cancel License for Translator DW276BX, Pompton Lakes, New Jersey*, Memorandum Opinion and Order, 29 FCC Rcd 5558, 5558-59, paras. 2-3 (2014)).

CERTIFICATE OF SERVICE

I hereby certify that, on June 8, 2020, a true and correct copy of the foregoing “Opposition to Application for Review” was caused to be served upon the following individuals via electronic mail:

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